

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1(b)**

23-02639 BKOBJ04  
BROCK & SCOTT, PLLC  
302 Fellowship Rd, Suite 130  
Mount Laurel, NJ 08054  
(844) 856-6646  
Attorneys for Wilmington Savings Fund Society, FSB,  
not in its individual capacity but solely as trustee of  
MFA 2021-NQM2 Trust c/o ServiceMac, LLC

In Re:

Case No: 23-10870

Hearing Date: April 11, 2024

Judge: JOHN K.  
SHERWOOD

Chapter: 13

**OBJECTION TO CONFIRMATION  
OF DEBTOR'S CHAPTER 13 PLAN**

Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as trustee of MFA 2021-NQM2 Trust c/o ServiceMac, LLC ("Creditor"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Chapter 13 Plan* [DE 72], and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on February 1, 2023.
2. Creditor holds a security interest in the Debtor's real property located at 33 Graydon Terrace, Clifton, NJ 07013 (the "Property"), by virtue of a Mortgage.
3. The Debtor filed a Modified Chapter 13 Plan (the "Plan") on March 8, 2024 [DE 72].
4. Creditor filed a Proof of Claim in this case on April 12, 2024 (Claim No. 14),

which lists pre-petition arrears in the amount of \$23,876.71 and a total debt of \$253,925.45.

5. The Parties previously entered into a Consent Order on June 23, 2023 which provided that the Debtor would pay the arrears via a refinance on the Property that must close within 14 months of confirmation.

6. The prior plan was confirmed on August 25, 2023, setting the deadline to refinance the Property at October 25, 2024.

7. The Plan filed on March 8, 2024 seeks to pay the arrears via a refinance of the Property within 18 months of confirmation.

8. Creditor objects to any extension of the deadline to refinance as stated in the Consent Order entered on June 23, 2023.

9. Furthermore, the Parties entered an Agreed Order resolving Creditor's Motion for Relief on February 23, 2024 that provides for \$9,272.87 in post-petition arrears to be paid through the Chapter 13 Plan payments.

10. The Plan fails to treat Creditor's post-petition claim of \$9,272.87.

**WHEREFORE**, Creditor respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Creditor as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/ Matthew Fissel  
Matthew Fissel, NJ Bar No. 038152012  
Andrew Spivack, NJ Bar No. 018141999  
Jay Jones, NJ Bar No. 972011  
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**CERTIFICATION OF SERVICE**

1. I, Elizabeth Oliver:

☐ represent the \_\_\_\_\_ in the above-captioned matter.

☒ am the secretary/paralegal for BROCK & SCOTT, PLLC, who represents Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as trustee of MFA 2021-NQM2 Trust c/o ServiceMac, LLC in the above captioned matter.

☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On April 4, 2024, I sent a copy of the following pleadings and/or documents to the parties listed below:

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: April 4, 2024

/s/ Elizabeth Oliver  
Elizabeth Oliver

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
JAMAL ROMERO SCURA, WIGFIELD, HEYER, STEVENS & CAMMAROTA, LLP 1599 HAMBURG TPKE WAYNE, NJ 07470	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Marie-Ann Greenberg 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004-1550	Chapter 13 Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.